

MR3375-11

Serial Number: 10/668,353

Reply to Office Action dated 29 April 2004

REMARKS/ ARGUMENT

This case has been carefully reviewed and analyzed in view of the Official Action dated 29 April 2004. Responsive to the rejections made in the Official Action, Claim 7 has been amended to clarify the language thereof and the combination of elements that form the invention of the subject Patent Application. Additionally, Claims 1 – 6 and 9 – 13 have been amended to correct the language of those Claims, and Claim 8 has been cancelled by this Amendment.

In the Official Action, Claims 1 – 13 were rejected under 35 U.S.C. § 112, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Examiner stated that the term “wristwatch-typed” was indefinite because the metes and bounds of the expression cannot be determined. The Examiner also stated that the term “the pace signal” in Claims 1 and 8 lack proper antecedent basis.

Accordingly, Claims 1 – 7 and 9 – 13 have been amended to correct the language thereof. The term “wristwatch-typed” has been replaced with the term -- wristwatch -- . Further, the term “the pace signal” in Claim 1 and now in Claim 7, have been corrected to -- the pace signals -- . Thus, it is now believed that the Claims particularly point out and distinctly claim the subject matter that Applicant regards as the invention. In the Official Action, the Examiner rejected Claims 7 and 13 under 35 U.S.C. § 102, as being clearly anticipated by Sham et al., U. S. Patent No.5,891,042. However, the Examiner kindly indicated that Claims 2 – 6

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Claims 2 – 6 and 8 – 12 would be allowable if rewritten to overcome the rejections under 35 U.S.C. § 112, and to include all of the limitations of the base claim and any intervening claims. Additionally, the Examiner stated that Claim 1 would be allowable if rewritten or amended to overcome the rejection under 35 U.S.C. § 112.

Claim 7 has been amended to incorporate the subject matter of Claim 8 therein, thereby effectively rewriting Claim 8 in independent form, including all the limitations of the base claim, Claim 7, and any intervening claims, which there were none. Further, Claims 1 – 7 and 9 – 13 have been amended to overcome the rejection under 35 U.S.C. § 112. Thus, Claims 1 – 7 and 9 – 13 should now be allowable.

It is now believed that the subject Patent Application has been placed in condition to allowance, and such action is respectfully requested.

Respectfully submitted,
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FOR: ROSENBERG, KLEIN & LEE


DAVID I. KLEIN

7/29/2004
Date